

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV - ATLANTA, GEORGIA

MAR 13 1980

Valley of the Drums
Louisville, KentuckyAttorney
Air & Hazardous Materials Section
Legal BranchDirector
Enforcement DivisionSTATUS:

In deference to a request by the former Secretary of the Kentucky Department for Natural Resources and Environmental Protection (DNREP), EPA temporarily postponed any federal enforcement action against the owner of the site known as "Valley of the Drums" and the generators of the waste material disposed of at the site. The State had indicated its desire to pursue administrative action against Ms. Nell Taylor, as representative of A. L. Taylor's estate, and seek cooperative agreements from the five identified generators concerning voluntary clean-up of the site.

On March 27, 1979, the State of Kentucky held an administrative hearing concerning the Valley and Ms. Nell Taylor, individually and as representative of A. L. Taylor's estate. Although the hearing officer's recommendations included requiring the five known generators to identify and properly dispose of the waste material attributable to their respective operations, such action by the generators has not occurred as of this date.

On March 6, 1980, Jim Scarbrough (AHMD) received from Jack Wilson, Acting Commissioner of Kentucky DNREP, copies of several letters regarding Valley of the Drums. In its letter of February 6, 1980, to Jack Wilson, Ford Motor Company proposed to reclaim and/or dispose of 338 drums. As of this

date, EPA has not learned whether Wilson has accepted Ford's proposal. According to Shane Hitchcock (AHMD), Ford's proposal only covers approximately 2% of the drums at the site, while the State had previously attributed approximately 30% of the drums to Ford.

As the February 18, 1980, letter from Reliance Universal indicates, that company has not made a specific proposal for cleaning up their waste materials at the site. Furthermore, there is no response from Kurfees Coating, Louisville Varnish or George W. Whitesides Company, the other three generators identified as sources of drums at the Valley.

On March 6, 1980, Shane Hitchcock contacted Pat Haight, Kentucky Solid Waste Division, to inquire about recent developments concerning the temporary treatment system installed by EEB. As part of the agreement for EPA to postpone enforcement action against the generators, the State agreed to operate and maintain this treatment system. However, according to Haight, the State has changed the carbon filter only once since the system's installation a year ago, and no monitoring at the site has been conducted by the State. Haight stated that the State has no money or resources to monitor the site or to maintain the treatment system.

According to Jack Wilson, the State's negotiations with Ford and Reliance are in a very delicate stage and any enforcement action now by EPA would result in the termination of all negotiations, and consequently the site would not be cleaned up voluntarily. The State also believes that if Ford agrees to dispose of the 338 drums, the other four generators may agree to take similar action. It should also be emphasized that the State has been negotiating for voluntary clean-up by the generators for over a year, with no positive results to date.

BACKGROUND:

Between approximately 1967 and 1977, A. L. Taylor, a trucking contractor, operated a drum cleaning service and disposal operation on a 23-acre site now known as "Valley of the Drums" near Louisville, Kentucky. The site, which encompasses a stretch of Wilson Creek, a navigable tributary of the Ohio River, is now owned by Taylor's widow, Ms. Nell Taylor.

On March 9, 1979, EPA Region IV activated an emergency spill response team pursuant to §311 of the Clean Water Act to take temporary measures to abate the health and environmental problems caused by the waste material leaching from the site into Wilson Creek. These measures included the installation of a limestone and carbon filtration system and the division of barrels on the site into rows of empties, solids/sludges and liquids.

Numerous surveys of the site, including sampling of on-site sediment and water, leachate into Wilson Creek, sediment and water in Wilson Creek and core samples of several "pit areas" on the site have been conducted by the S & A Division, EPA, Region IV. Two residential water supplies which were sampled showed no significant contamination related to the site. Sampling of water on-site revealed high concentrations of methylisobutyl ketone, methylethyl ketone, acetone and ethylbenzene. Several of these organic compounds identified on-site were also found in samples of Wilson Creek water and sediment. Core sampling of the "pit areas" revealed the presence of several of the same compounds found in leachate from the site into Wilson Creek, including high concentrations of xylene, methylene chloride, toluene, methyl ethyl ketone and benzenes. Low concentrations of PCB's were detected in Wilson Creek sediment samples, while further investigation revealed PCB contamination in several pit areas on-site, the highest concentration of which was 68 parts per million in a sediment sample.

ACTION:

For your information.

Gwyn P. Newsom

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